

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DONALD MINES,

Plaintiff,

v.

SUPERINTENDENT PIAZZA, et al.,

Defendants.

CIVIL ACTION NO. 3:09-CV-1102

(JUDGE CAPUTO)

MEMORANDUM ORDER

Presently before the Court is Plaintiff Donald Mines's Motion to Compel Answers to Interrogatories Numbers 18, 20, 22, and 25. (Doc. 26.) Interrogatories 18, 20, and 22 ask Defendants Long, Henning, and Touchloskie, respectively, "are you familiar with DC-ADM 801, Section VI (a) 2 & 3 . . .?" (Br. in Opp'n, Ex. A at 1-4, Doc. 32.) Defendants responded to each of these questions with the language of the relevant regulation. (Br. in Opp'n, Ex. A at 1-4.) While Defendants may have answered the question *what* is DC-ADM 801, Section VI (a) 2 & 3 by providing the language of the regulation, the Plaintiff's question asks if each of the three Defendants are *familiar* with the regulation. Because this is a separate question, I will grant Plaintiff's motion to compel as to Interrogatories 18, 20, and 22.

Interrogatory 25 asks:

Correctional Lieutenant Moyer, is it Typical or Atypical in S.C.I. Coal Township, or condoned within the Pennsylvania Department of Corrections Administrative Policies for a Staff Member who has been allegedly assaulted by an Inmate, and the same Inmate has filed a grievance claiming assault to conduct a[n] exparte [sic] meeting without a video camera, nor witnesses in order to avoid a hint of impropriety, security initiated duress, or coercion?

(Br. in Opp'n, Ex. A at 6.) Defendants' response articulates that Lieutenant Moyer frequently meets with inmates and states that "Lt. Moyer is unaware of any Department of Corrections Administrative Policies that forbids the meeting described in the interrogatory." (Br. in Opp'n, Ex. A at 6-7.) I find that this question has been answered by the Defendants, and therefore, I will deny Plaintiff's motion as to Interrogatory 25.

NOW, this 21st day of April, 2010, **IT IS HEREBY ORDERED THAT** Plaintiff's Motion to Compel Answers to Interrogatories Numbers 18, 20, 22, and 25 (Doc. 26) is **GRANTED IN PART** and **DENIED IN PART** as follows:

- (1) The motion is **GRANTED** as to Interrogatories 18, 20, and 22.
- (2) The motion is **DENIED** as to Interrogatory 25.

/s/ A. Richard Caputo
A. Richard Caputo
United States District Judge